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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/883,623

06/18/2001

Pavitra Subramaniam

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04/07/2006

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,623

Applicant(s)

SUBRAMANIAM ET AL.

Examiner

Haythim J. Alaubaidi

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 12-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 12-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is a Non-Final Office Action in response to the amendment filed on January 23, 2006.
2. Claims 1-3, 5-10 and 12-31 are presented for examination following the amendment of January 23, 2006.
3. Claims 1-2, 5-10, 12-17, 19-22 and 24-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kessenich in view of Nishizawa.
4. Claims 3, 18, 23 and 31, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kessenich in view of Whitman.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 23, 2006 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-10 and 12-31 have been fully considered but found not persuasive.

a. Applicant argues that the combination of Kessenich in view of Nishizawa does not teach the new added limitation of using the VBC to invoke a search execution business service. The Examiner however disagrees. Nishizawa clearly teaches the use of the VBC to invoke a search execution business service, please see (Figure No. 1, Element No. 106, 108, 109, 112 and 119 and the corresponding text, i.e. the application manager (106) is querying and using (108 and 109) the virtual table manager (112) that in turn is accessing the virtual table (119) which reads on the using of the VBC to invoke a search service).

b. Applicant argues that Nishizawa does not teach caching the query results in the search execution business service. The Examiner who ever respectfully disagrees. Nishizawa teaches caching the query results in the search execution business service (Col 2, Lines 52-64).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-2, 5-10, 12-17, 19-22 and 24-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over John M. Kessenich (U.S. Patent No. 6,292,802 and Kessenich hereinafter) in view of Itaru Nishizawa (U.S. Patent No. 6,694,306 and Nishizawa hereinafter).

Regarding Claims 1, 6-7, 10, 13, 16, 24 and 27, Kessenich discloses:

receiving search criteria¹ entered by a user (Figures 4-7, Elements 400-416), wherein the search criteria includes at least one keyword (Figures 4-7, Element 416; see also Col 6, Line 66 through Col 7, Line 5);

searching a database for data record matching the search criteria (Col 7, Line 5-7 and Lines 12-14; see also Col 7, Lines 25-30);

generating search results comprising of the data records matching the received search criteria (Col 7, Line 14-16 and Lines 32-43); and

caching the search result to maintain persistency of the search result (Col 18, Line 41-58).

Kessenich's reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the feature of passing the received searched criteria to a virtual business component, using the VBC to invoke a search service nor does the reference teach the specific location for caching the results (in memory). However,

¹ Please note that Elements 400-416 of Figures 4-7 reads on the "criteria" limitation of claims 1, 10, 16 and 27; and also the type of search or the category of search, such as (symbols, keyword or files) (see Col 7, Lines 1-2) also reads on the criteria as a type of category of search. Elements 400-416 of Figures

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Nishizawa teaches passing the received searched criteria to a virtual business component (virtual table), wherein the virtual business component representing a database (virtual table), please see Nishizawa (Figure No. 1, Element No. 106, 108, 109, 112 and 119 and the corresponding text, i.e. the application manager (106) is querying and using (108 and 109) the virtual table manager (112) that in turn is accessing the virtual table (119) which reads on the using of the VBC to invoke a search service); the Nishizawa reference also teaches caching the query results in memory (Col 2, Lines 52-64).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Kessenich with the teachings of Nishizawa to include the feature of using a virtual business component in order to allow easy and multiple accesses to a plurality of users to the same data from a plurality of remote servers.

Regarding Claims 2, 17, 22 and 28, Kessenich discloses wherein receiving search criteria further comprises receiving at least one search category (Col 7, Lines 1-2; see also footnote No. 1).

Regarding Claims 5 and 12, Kessenich discloses passing the received search criteria from the virtual business component to the search execution business service (Figure No. 1, Element No. 104; see also Col 6, Lines 3-6).

4-7 are parameters relating to the search similar to what's in the Specification of the current application (see Page 41, Lines 20-23).

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Regarding Claims 8, 14, 19, 25 and 29, Kessenich discloses caching the search result until termination of a user session to maintain persistency of the search result (Col 18, Line 41-58)².

Regarding Claims 9, 15, 20, 26 and 30, Kessenich discloses listing the search results (Figures 4-7; see also Figure 10, Element No. 1010).

Regarding Claim 21, the limitations of this claim was addressed in rejecting Claim 1, 4 and 5, as Claim 21 is a combination of the limitations of Claims 1, 4 and 5. It is therefor rejected as set forth above.

7. Claims 3, 18, 23 and 31, are rejected under 35 U.S.C. 103(a) as being unpatentable over John M. Kessenich (U.S. Patent No. 6,292,802 and Kessenich hereinafter) in view of Ronald M. Whitman (U.S. Patent No. 6,772,150 and Whitman hereinafter).

Regarding Claims 3, 18, 23 and 31, Kessenich discloses all of the claimed subject matter set forth above, including the feature of refining the search result (Col 13, Lines 29-33); Kessenich doesn't explicitly indicate using a keyword in refining a search result; though the feature of refining search results are notoriously well known, yet the Examiner is incorporating a second reference for Whitman to leave no doubted that such a feature is unpatentable is it is well known in the art.

² Please note that the Kessenich's search is being performed through a web browser and the search results are being cached locally (Col 18, Lines 41-58) which inherently means that closing the web browser will terminate the cached results stored within.

Whitman discloses refining the search result based at least on one keyword (Col 3, Lines 45-48; see also Col 6, Lines 22-25). Given the intended broad application of Kessenich's system, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Kessenich with the teachings of Whitman to include the well known feature of using keywords in refining a search result as to further limit the search result to a more reasonable amount of returned results or records; the systems with such a feature would be more attractive to users to use and thus would lead to increase in profits as more users will be using such a system over another system that does not provide the ability to further limit a search result.

Points of Contact

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (571) 272-4014. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached at (571) 272-3642.

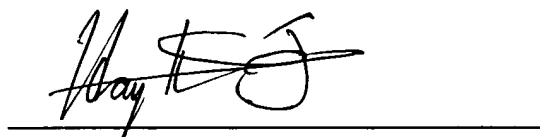
Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or Faxed at our central fax number (571) 273-8300.

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Hand-delivered responses should be brought to the Customer Service Window of the

Randolph Building at 401 Dulany Street, Alexandria, VA 22314

A handwritten signature in black ink, appearing to be "Hay" followed by a stylized flourish, positioned above a horizontal line.

Patent Examiner
Technology Center 2100
Art Unit 2168

A handwritten signature in black ink, appearing to be "Tim Vo", positioned above the printed name.

TIM VO
PRIMARY EXAMINER